

811 KAR 1:115. Associations' licenses.

RELATES TO: KRS 230.630(1), (3), 230.640, 230.680, 230.690

STATUTORY AUTHORITY: KRS 230.630(3), (4), (7)

NECESSITY, FUNCTION, AND CONFORMITY: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this administrative regulation is to regulate the licensing of associations and fees for licensing.

Section 1. An association desiring to conduct harness races may annually apply to the commission for a license. If in the judgment of the commission a proper case for issuance is shown, it may grant the license for a term of one (1) year. Every license shall contain a condition that all harness races or meetings conducted under it shall be subject to the administrative regulations and conditions from time to time prescribed by the commission.

Section 2. A license shall be revocable by the commission for any violation of its rules or whenever the continuance of the license is deemed by the commission not conducive to the interests of legitimate racing subject to the provisions of 811 KAR 1:105. If an association's license is refused or revoked, the commission shall publicly state its reasons for the refusal or revocation and those reasons shall be written in full in the minute book of the commission. Failure to grant to any association a license for a harness meeting at the track of the association, and the revocation of the license of any association shall be subject to judicial review by the Franklin Circuit Court. No injunction or restraining order shall issue pending said appeal.

Section 3. All associations and tracks having gross wagering of less than an average of \$75,000 per day based on their prior year's average daily handle shall pay a daily licensing fee of \$125 to the Kentucky Harness Racing Commission for each day of racing. All tracks and associations having gross wagering of \$75,000 and above per day, based on their prior year's average daily handle shall pay a daily licensing fee of \$175 for each day of racing. In the event the commission allows two (2) racing programs on one (1) day, a separate daily fee for each racing program shall be paid (example: if an afternoon and evening program are scheduled the fee shall be \$250 and \$350 respectively for that day). (KTC 1-8 (Rule 26), KTC 3-2; 1 Ky.R. 1116; eff. 6-11-75.)